

From: "Buroker, Thomas \ (ECY)" <THBU461@ECY.WA.GOV>
To: "Fowlow, Jeffrey" <Fowlow.Jeffrey@epa.gov>
Date: 10/12/2018 3:59:39 PM
Subject: FW: May Creek State ARARs
Attachments: [ATT00001.txt](#)

Hi Jeff,

Please find our suggested ARAR's below. Let us know if this works for you.

RCW Chapter 70.105, Hazardous Waste Management Act, and the dangerous waste regulations, WAC Chapter 173-303. Depending on the materials and conditions onsite, various provisions of the statute and regulation may be applicable, including the solid waste designation requirements of WAC 173-303-070 and 170, the disposal requirements of WAC 173-303-141 and the spill and discharge requirements of WAC 173-303-145.

RCW Chapter 70.105D, Model Toxics Control Act, and implementing regulations WAC Chapter 173-340. Various provisions, including remedial action requirements and cleanup standards may apply.

RCW Chapter 70.95, Solid Waste Management, and WAC Chapter 173-350, the Solid Waste Handling Standards. May apply to the extent there is non-hazardous solid waste on the site.

RCW Chapter 90.48, Water Pollution Control. May apply to the extent contamination from the site has entered waters of the state.

RCW Chapter 70.94, Air Pollution Control Act. May apply to the extent there are air emissions from materials on site.

Thank you,
Tom

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From: Fowlow, Jeffrey [<mailto:Fowlow.Jeffrey@epa.gov>]
Sent: Tuesday, October 2, 2018 4:51 PM
To: Buroker, Thomas (ECY) <THBU461@ECY.WA.GOV>
Subject: May Creek State ARARs

Hey, Tom. I'm getting very close to completing the Action Memo necessary to begin our work. I'm filling in the details now. Can you arrange to have someone send me the State ARARs for our consideration? I'm going to need them to complete the memo.

Here's an example of how I've written up on of the federal ones:

Resource Conservation and Recovery Act (RCRA) [42 U.S.C. § 6901], Subtitle "C" - Hazardous Waste Management [40 C.F.R. Parts 260 to 279]. Federal hazardous waste regulations specify hazardous waste identification, management, and disposal requirements. For the management of RCRA hazardous wastes that are not Bevill-exempt, applicability of Subtitle C provisions depend on whether the waste is managed within an Area of Contamination (AOC). 55 FR 8760 (Mar. 8, 1990). Applicable or relevant and appropriate requirements of RCRA Subtitle C (or the state equivalent) may be satisfied by off-site disposal, consistent with the Off-Site Rule, 40 C.F.R. § 300.440. RCRA Subtitle C also provides treatment standards for debris contaminated with hazardous waste ("hazardous debris"), 40 C.F.R. § 268.45, although the lead agency may determine that such debris is no longer hazardous, consistent with 40 C.F.R. § 261.3(f)(2), or equivalent state

regulations.

Thanks, call if you have questions.

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